

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

AL FLORA, JR., : CIVIL ACTION NO. 3:13-1049
Plaintiff :
v. : (JUDGE MANNION)
LUZERNE COUNTY and ROBERT :
LAWTON, County Manager, :
in his official capacity, :
Defendants :
:

O R D E R

In light of the memorandum issued this same day, **IT IS HEREBY
ORDERED THAT:**

- (1) the defendants' motion to dismiss the plaintiff's complaint, ([Doc. No. 9](#)), is **GRANTED**;
- (2) the plaintiff's First Amendment retaliation claim is dismissed with prejudice for the plaintiff's failure to state a claim upon which relief can be granted;
- (3) the plaintiff's state law claims are dismissed without prejudice to re-filing in the state court as this court declines to exercise supplemental jurisdiction over those claims;

- (4) the plaintiff's motion for a preliminary injunction, (**Doc. No. 4**), is **DISMISSED**; and
- (5) the Clerk of Court is directed to close this case.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: March 10, 2014

O:\Mannion\shared\MEMORANDA - DJ\CIVIL MEMORANDA\2013 MEMORANDA\13-1049-01.ORDER.wpd